

CLARK HILL PLLC  
MICHAEL V. CRISTALLI  
Nevada Bar No.: 6266  
Email: [mcristalli@clarkhill.com](mailto:mcristalli@clarkhill.com)  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169  
Tel: (702) 862-8300  
Fax: (702) 862-8400  
*Attorney for Defendant, Robert Earl Bailey, II*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT EARL BAILEY II,

Defendant.

CASE NO.: 2:21-cr-00243-APG-NJK

**STIPULATION AND ORDER TO CONTINUE SENTENCING (SECOND REQUEST)**

**IT IS HEREBY STIPULATED** by and between Defendant, Robert Bailey, II, by and through his counsel, Michael V. Cristalli, Esq., of the law firm of Clark Hill PLLC and the Plaintiff, United States of America, by and through Christopher Burton, Assistant United States Attorney, that the sentencing hearing currently scheduled for June 22, 2022, at 9:30 a.m. be vacated and set to a date in the first week of July, 2022.

This Stipulation is entered into for the following reasons:

1. Counsel for Mr. Bailey has a prior engagement that will place counsel out of the jurisdiction at the time of sentencing. Counsel attempted to reschedule the business engagement but was unsuccessful.

2. Mr. Bailey has appeared in this case, and is not in custody and, along with the government, agrees to this continuance.

3. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.

1 4. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing  
2 hearing for good cause. Good cause exists in this case.

3 5. For all the above-stated reasons, the ends of justice would be best served by the continuance  
4 of the sentencing hearing.

5 6. This is the second request for a continuance of the sentencing hearing.

6 UNITED STATES ATTORNEY  
7 DISTRICT OF NEVADA

CLARK HILL PLLC

8 DATED this 25<sup>th</sup> day of May, 2022.

DATED this 25<sup>th</sup> day of May, 2022.

9 /s/ Christopher Burton  
10 Christopher Burton  
11 Assistant United States Attorney  
Attorney for Plaintiff,  
UNITED STATES OF AMERICA

/s/ Michael V. Cristalli  
MICHAEL V. CRISTALLI  
Attorney for Defendant,  
Robert Bailey, II

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 ROBERT BAILEY, II,

7 Defendant.

CASE NO. 2:18-cr-00129-JCM-DJA

8  
9 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
11 Court hereby finds that:

12 **CONCLUSIONS OF LAW**

13 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes  
14 that:

15 1. Counsel for Mr. Bailey had a prior engagement that will place counsel out of the  
16 jurisdiction at the time of sentencing. Counsel attempted to reschedule the business engagement  
17 but was unsuccessful.

18 2. Mr. Bailey has appeared in this case, and is not in custody and, along with the government,  
19 agrees to this continuance.

20 3. The additional time requested herein is not sought for purposes of delay and the denial of  
21 this request for a continuance could result in a miscarriage of justice.

22 4. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing  
23 hearing for good cause. Good cause exists in this case.

24 ...

25 ...

26 ...

27 ...

28 ...

